

U.S.C. § 103(a) as being unpatentable over Baecker et al. (U.S. Patent No. 5,479,602) and Johnston, Jr. et al. (U.S. Patent No. 5,880,729) (OA, paragraph 4); rejected claims 2-4, 10, 14 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Baecker et al. and Johnston, Jr. et al., and further in view of Gudmundson et al. (U.S. Patent No. 5,680,619) (OA, paragraph 5); rejected claims 5-6, 9, 11-12, 15, 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Baecker et al., Johnston, Jr. et al., and Gudmundson, and further in view of Gallagher (Computer Visualization: Graphics Techniques for Scientific and Engineering Analysis) (OA, paragraph 6); rejected claims 7, 19-21, 25 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Johnston, Jr. et al. (OA, paragraph 7); rejected claims 22-24 and 26 under 35 U.S.C. § 103(a) as being unpatentable over STN Express, Lagarde et al. (U.S. Patent No. 5,721,908), and Johnston, Jr. et al. (OA, paragraph 8); rejected claims 27 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Baecker et al., STN Express, and Johnston, Jr. et al. (U.S. Patent No. 4,589,023) (OA, paragraph 9); and rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Gallagher in view of Johnston, Jr. et al. (OA, paragraph 10).

By this Amendment, Applicants propose to amend claim 13 to improve form. Accordingly, in view of the remarks that follow, Applicants respectfully traverse the Examiner's rejections of claims 1-31 under 35 U.S.C. § 103(a).

The Examiner rejected claims 1, 13, 29, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Baecker et al. and Johnston, Jr. et al. (OA, paragraph 4). The Examiner alleged that Baecker et al. discloses, *inter alia*, the modification of an animation icon when a corresponding file or folder changes, so that new animation frames are generated. The Examiner also alleged that Johnston et al. discloses the use of animation for allowing users to view the

transition of an object between two different static states of elements within a GUI. The Examiner alleged that it would have been obvious to determine based on a detected event whether an animated sequence does not reflect the state of the container because doing so allows the user to detect whether a change has occurred to a computer file without the need for extra input.

The present invention recited in claim 1, for example, recites a process for reflecting a state of a software container having objects, comprising: cyclically displaying a series of frames reflecting a state of the container as an animated sequence; detecting an event reflecting a change in the state of the container; determining based on the detected event whether an animated sequence does not reflect the state of the container; and updating the cyclical display based on the determination.

Applicants respectfully submit that Baecker et al. and Johnston, Jr. et al. do not disclose or suggest this claimed combination of steps. Among other things, the references do not disclose or suggest the step of determining based on the detected event whether an animated sequence does not reflect the state of the container.

Baecker et al. discloses an apparatus and method for generating and displaying a content-based animated depiction of a standard icon. The animated depiction can reflect the state of a folder that has several files in it and can change the animation scenario whenever the folder represented by the animated icon is modified. In contrast, the animation of the present invention is only changed when it has been determined that the animated sequence does not reflect the state of a container. In this manner, unnecessary update cycles can be eliminated. In Baecker et al., updates occur every time there is a folder modification, thus wasting valuable time if it turns out

that the animation scenario does not have to be changed at all. Accordingly, Baecker et al does not disclose or suggest the step of determining based on the detected event whether an animated sequence does not reflect the state of the container.

The teachings of Johnston et al. are not sufficient to make up for the deficiencies of Baecker et al. As stated by the Examiner, Johnston et al. discloses the use of animation for allowing users to view the transition of an object between two different static states of elements within a GUI. There is nothing in Johnston et al., however, to suggest determining based on the detected event whether an animated sequence does not reflect the state of the container.

The Examiner asserted that it would have been obvious to determine based on a detected event whether an animated sequence does not reflect the state of the container because doing so allows the user to detect whether a change has occurred to a computer file without the need for extra input. Applicants respectfully disagree with that position. As explained before, neither Baecker et al. nor Johnston et al. disclose the aforementioned determining step. Also, Baecker et al. actually teaches away from such a determination. Baecker et al. discloses that when an object is modified, the associated animation can be regenerated on a periodic basis (col.8, lines 63-65). This regeneration on a periodic basis is essentially an unconditional update. The update of the present invention occurs conditionally, on the other hand. It is not obvious to change an unconditional update to a conditional update. Furthermore, there is no teaching or suggestion in either Baecker et al. or Johnston et al. to alter the combined system of the references so that there is an update conditional on an animated sequence matching the container state. Accordingly, it would not have been obvious to determine based on a detected event whether an animated sequence does not reflect the state of the container.

For at least the foregoing reasons, Applicants submit that claim 1 is patentable over Baecker et al. and Johnston et al. Applicants further submit that claims 13, 29 and 31 are patentable over Baecker et al. and Johnston et al., and that claim 7 is patentable over Baecker et al., for at least the reasons given with respect to claim 1.

The Examiner rejected claims 7, 19-21, 25 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Johnston, Jr. et al. (OA, paragraph 7). The Examiner alleged that Johnston et al. discloses, *inter alia*, detecting activity of a menu item and updating an animated sequence as to reflect the activity of a button. The Examiner also alleged that it would have been obvious to detect activity of the closed container and to update the animated sequence so as to reflect the activity of the closed container, because doing so provides a method for updating the user with information regarding the process being executed by the computer.

The present invention recited in claim 19, for example, recites a process for reflecting activity of a software container that is closed, comprising: detecting activity of the closed container; and updating an animated sequence so as to reflect activity of the closed container.

Applicants respectfully submit that Johnston et al. does not disclose or suggest this claimed combination of steps. Among other things, the reference does not disclose or suggest detecting activity of the closed container, and updating an animated sequence so as to reflect activity of the closed container.

The Examiner indicated that it would have been obvious to include these steps in Johnston et al. Applicants respectfully disagree with that position. There is no teaching or suggestion in Johnston et al. to modify its system so that activity of the closed container is detected, and an animated sequence of the closed container is updated so as to reflect activity.

Johnston et al. discloses detecting the activity of a menu item (i.e., a button), and that an animated sequence is updated as to reflect activity of a button. A button is in no way analogous to a closed container. Accordingly, there is no suggestion in Johnston et al. as to why one of ordinary skill in the art would modify the system of Johnston et al. so that activity of the closed container is detected, and an animated sequence of the closed container is updated so as to reflect activity. Applicants point out that the Examiner has not supplied a reference that teaches these features. Applicants request that the Examiner do so, if the Examiner insists on rejecting the claim.

For at least the foregoing reasons, Applicants submit that claim 19 is patentable over Johnston, Jr. et al. Applicants further submit that claim 25 is patentable over Johnston, Jr. et al., and that claim 27 is patentable over Baecker et al., STN Express, and Johnston, Jr. et al., for at least the reasons given with respect to claim 19.

The Examiner rejected claims 22-24 and 26 under 35 U.S.C. § 103(a) as being unpatentable over STN Express, Lagarde et al., and Johnston, Jr. et al. (OA, paragraph 8). The Examiner alleged that STN Express discloses, *inter alia*, providing an emulator for a PC which emulates actions of a mainframe allowing a user on the PC to view actions of the mainframe, providing a status bar on the PC screen with the word 'online' or 'offline' depending on whether the emulator is connected to the mainframe, displaying the word 'online' in green when the mainframe awaits input from the PC user, displaying the word 'online' in red when the user is instructed to wait for output from the mainframe after data is entered. The Examiner also alleged that Lagarde et al. discloses coupling a database on a different server computer with a user computer equipped with a browser where the user requests information from the database server,

and accessing data through a network. The Examiner further took official notice that output retrieved from a database server to a user computer is a reflection of actions taking place on the database server, that it is widely accepted in the art to detect if a first Internet computer has acted upon a software container in a second Internet computer, and that it is widely accepted in the art to provide animated icons on an Internet server wherein the user of a second computer system accessing the server can execute software stored on the server from the second computer system. The Examiner then asserted that it would have been obvious to detect if a second computer system has acted upon a container and to update an animated sequence to be displayed on the first computer system so as to reflect the actions of the second computer system. The Examiner never mentioned how Johnston et al. was being relied upon.

The present invention recited in claim 22, for example, recites a process for reflecting activity of a network-based software container associated with a first computer system, comprising: detecting if a second computer system has acted upon the container; and updating an animated sequence to be displayed on the first computer system so as to reflect the actions of the second computer system.

Applicants respectfully submit that STN Express, Lagarde et al., and Johnston, Jr. et al. do not disclose or suggest this claimed combination of steps. Among other things, the references do not disclose or suggest updating an animated sequence to be displayed on the first computer system so as to reflect the actions of the second computer system.

The Examiner indicated that it would have been obvious to include this step, because doing so is a widely accepted method for allowing the user accessing a first computer system from a second computer system for viewing a copy of the output from the first computer from the

second computer. Applicants respectfully disagree with that position. There is no teaching or suggestion in STN Express, Lagarde et al., or Johnston, Jr. et al. to modify their systems so that an animated sequence to be displayed on the first computer system is updated so as to reflect the actions of the second computer system. None of the references actually show an animated sequence that is updated in the aforementioned manner. The Examiner seems to be asserting that doing so is obvious because it is well-known. Applicants disagree with such an assessment and request that the Examiner supply a reference that discloses updating an animated sequence to be displayed on the first computer system so as to reflect the actions of the second computer system.

For at least the foregoing reasons, Applicants submit that claim 22 is patentable over STN Express, Lagarde et al., and Johnston, Jr. et al. Applicants further submit that claim 26 is patentable over STN Express, Lagarde et al., and Johnston, Jr. et al., and that claim 28 is patentable over Baecker et al., STN Express, and Johnston, Jr. et al., for at least the reasons given with respect to claim 22.

The dependent claims are allowable for at least the reasons stated above with regard to their respective base claims.

Since each of the independent claims have been placed in allowable form, Applicants respectfully request the timely allowance of this application.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing the claims in condition for allowance. Applicants submit that the proposed amendments of the claims do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships

claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

If an extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby requested. If there are any fees due under 37 C.F.R. § 1.16 or 1.17 which are not enclosed, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge those fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Walter J. Santeloff Reg. No. 24,914
for Jeffrey A. Berkowitz
Reg. No. 36,743

Dated: September 3, 1999